

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

November 04, 2020

MOTOR CARRIER MATTER

☐

DOCKET NO.

2020-242-E

UTILITIES MATTER

☒

ORDER NO.

SUBJECT:

DOCKET NO. 2020-242-E - Enrique McMilion, Jr, Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent - Staff Presents for Commission Consideration Enrique McMilion, Jr.'s Motion for Discovery.

COMMISSION ACTION:

Mr. McMilion filed a complaint against Duke Energy Carolinas, LLC on October 8, 2020. Thereafter on October 15, 2020, Mr. McMilion filed a Motion for Discovery. The Motion does not indicate whether the Motion was served on Duke Energy Carolinas.

To the extent that this filing is a Motion asking this Commission to order discovery, I move that the Motion be dismissed. Motions are not the appropriate mechanism for initial discovery requests. The regulations governing discovery in Commission proceedings are contained in S.C. Code Ann. Regs. 103-832 through 103-835. Specifically, the procedure for seeking discovery through interrogatories or requests for production is governed by S.C. Code Ann. Regs. 103-833. Regulation 103-833(B) provides in relevant part that "Any party of record may serve upon other parties or parties of record written interrogatories to be answered by the party served." Likewise, Regulation 103-833(C) provides in relevant part that "Any party of record may serve upon other parties or parties of record requests for production of documents and things to be answered by the party served." Both subsections require copies of the interrogatories or requests for production served to be filed with the Chief Clerk of the Commission. The regulation does not require a motion for serving interrogatories or requests for production, and there is no reason in this matter to deviate from the procedure set forth in the regulation.

PRESIDING: J. WilliamsSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room
CASTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Skype
POWERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room

THOMAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Present in Hearing Room

Voting via Skype

Present in Hearing Room

(SEAL)

RECORDED BY: J. Schmieding

